

REMARKS

This amendment responds to the office action dated May 3, 2007.

The Examiner rejected claims 6-10, 24-27, and 45 under 35 U.S.C. § 102(e) as being anticipated by Labeeb et al, U.S. Pat. Pub. No. 2003/0093792 (hereinafter Labeeb). Claims 6-10 have been canceled. Independent claim 24, from which claims 25-27 and 45 respectively depend, includes the limitation of “said usage history description scheme including data indicating whether personal identification information of said user is intended to be revealed to third parties.” This limitation is not disclosed by Labeeb, and in fact, Labeeb teaches against it. *See* Labeeb at par. 2926 (stating that private information of a representative sample of viewers, approximately one in a thousand, will be randomly sampled to obtain demographic information for advertising and/or marketing purposes). The Examiner points to a disclosure in the reference of telephone-type “prepaid” smart cards, insertable in a set-top box, by which viewers may buy viewing time uninterrupted by advertisements. When that time is drawn down to zero as a user watches uninterrupted content, the user is once again exposed to advertisements. The Examiner seizes on the disclosure that “use of the pre-paid card protects the security of the viewer, as the EUE (end-user equipment, i.e. set top box) only has the capability to read and limited write ability only to deduct money amounts from the card.” *See Id.* at 2912. The Examiner’s reliance on this disclosure is misplaced, it being directed to security against hacking/viruses etc. as opposed to security against personal information being exposed. In any event, since the pre-paid cards, like phone cards, lack personal identification information in the first place (hence the benefit of the cards, as not requiring a subscription, billing address, etc.) these cards have utterly no reason to include “data indicating whether personal-identification information . . . is intended to be revealed.” Therefore, the applicant respectfully requests that the Examiner withdraw the rejection of claims 24-27 and 45.

The Examiner rejected claims 2-5, 11-16, 19-23, 28-38, 42-44, and 46-48 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Maissel et al., U. S. Patent No. 6,637,029 (hereinafter Maissel) in view of Osawa et al., U.S. Patent No. 5,956,037 (hereinafter Osawa). Claim 42 has been canceled.

Maissel discloses a multimedia set-top box by which programming guide preference data may be recorded for a user, and a programming guide presented in conformance with those preferences. Maissel also discloses a receptacle by which a user may insert a preference profile of another person, such as a famous person, if for some reason the user wants to use that famous person's programming guide preferences. Also, in the event that a user wants to let a friend "borrow" their preference profiles, Maissel's receptacle is capable of writing it to removable storage to be inserted in the friend's set-top box.

Independent claim 2, from which claims 3-5 depend, has been amended to recite the limitation of "wherein . . . said user-description scheme stored on said mobile storage device includes an attribute preventing said electronic device from updating said usage preferences description scheme based on said usage history description scheme." This limitation is not disclosed by either Maissel or Osawa. Therefore, the applicant respectfully requests that the rejection of claims 2-5 be withdrawn.

Independent claim 11, from which claims 12-15 and 43 depend, as amended, recites the limitation of "said usage history description scheme used by said system to automatically periodically update a usage preference description of said user on said mobile storage device, while said mobile storage device is inserted in said multimedia system." This limitation is not disclosed by either Maissel or Osawa. Therefore, the applicant respectfully requests that the rejection of claims 11-15 and 43 be withdrawn.

Independent claim 16, from which claims 19-23 and 44 respectively depend, has been amended to recite the limitation of a "usage history description scheme" that is stored on a mobile storage device and "is used by said audiovisual information management system to update a usage preference description scheme, and said usage history description scheme is not used by said audiovisual information management system to do any actions selected from the list of (i) selecting said at least one of an audio, an image, and a video; (ii) filtering said at least one of an audio, an image, and a video; and (iii) searching at least one of an audio, an image, and a video." Not only is this limitation not disclosed by either cited reference, but Maissel teaches against it, as the express purpose of the description scheme stored on the mobile storage device is to search, filter, and select programming guide information in accordance with the description

scheme stored thereon. Therefore, the applicant respectfully requests that the rejection of claims 16, 19-23 and 44 be withdrawn.

Independent claim 28, from which claims 29-33, 46, and 47 respectively depend, recites the limitation of “said system permitting a user to selectively define multiple levels of granularity by which the content of said usage history description scheme is automatically accumulated, wherein the content of said usage history description scheme is used to update a usage preference description scheme.” This limitation is not disclosed by the cited references. The multiple levels of granularity disclosed by Maissel are unrelated to the *automatic accumulation* of the content of the usage history description scheme; rather, they relate to the manner in which the user may arbitrarily set information in the ultimate user preference profile, irrespective of what usage history is then accumulated. For example, a user can set a preference in the profile regardless of whether the user’s usage history indicates the preference. Therefore, the applicant respectfully requests that the rejection of claims 28-33, 46, and 47 be withdrawn.

Similarly, independent claim 34, from which claims 35-38 and 48 respectively depend, has been amended to recite the limitation of “selectively defining multiple levels of granularity by which the content of said usage history description scheme may be automatically accumulated and stored on said mobile storage device while inserted in said multimedia system.” Thus, not only is claim 34 distinguished over the cited combination for the same reasons as claim 28, but claim 34 also distinguishes over the cited combination because the content of the mobile storage device of Maissel is not “automatically accumulated . . . while inserted in said multimedia system.” Therefore, the applicant respectfully requests that the rejection of claims 34-38 and 48 be withdrawn.

The Examiner rejected claims 17 and 18 under 35 U.S.C. § 103(a) as being obvious in view of the combination of Maissel, Osawa, and Labeeb. Each of these rejections is premised on the assumption that the combination of Maissel and Osawa discloses all limitations of claim 16, from which claims 17 and 18 each depend. Because claim 16 has been amended to distinguish over that combination, as explained above, the Examiner’s rejection of claims 17 and 18 should also be withdrawn.

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Amdt. dated March 20, 2007
Reply to Office Action of December 20, 2006

In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 2-5, 11-38, and 43-48.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Kurt', followed by a long, horizontal, wavy line that extends to the right.

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